

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TERRANCE MARSH, *et al.*,

Plaintiffs,

v.

FREEDOM MORTGAGE CORPORATION,

Defendant.

Case No. 1:24-cv-01304-CDB

ORDER ON STIPULATION EXTENDING
TIME TO RESPOND TO FIRST
AMENDED COMPLAINT

(Doc. 15)

ORDER DIRECTING CLERK OF THE
COURT TO TERMINATE DEFENDANT'S
MOTION TO DISMISS AS MOOT

(Doc. 7)

On March 28, 2024, Plaintiffs Terrance Marsh and Gesele Marsh ("Plaintiffs"), proceeding pro se, initiated this action with the filing of a complaint in the Superior Court for the State of California, County of Kern in the action titled *Terrance Marsh and Gesele Marsh vs. Freedom Mortgage*, Case No. BCV24101027 ("state court action"). (Doc. 1). Defendant Freedom Mortgage Corporation ("Defendant") removed the action to this Court on October 24, 2024. (*Id.*). On December 10, 2024, Defendant filed a motion to dismiss the complaint. (Doc. 7). The day prior (December 9, 2024), Plaintiffs filed the first amended complaint that was served on Defendant on December 18, 2024, making Defendant's responsive pleading due January 1, 2025. (Doc. 13). Because that date is a "legal holiday," Defendant's responsive pleading is due January 2, 2025. *See* Fed. R. Civ. P. 6(a)(1) & (6)(A).

1 Pending before the Court is the parties' stipulated request to extend by seven days the
2 time for Defendant to file a responsive pleading to the first amended complaint, filed on
3 December 26, 2024. (Doc. 15). The parties represent that they have agreed to provide a seven-
4 day extension of the deadline for Defendant to respond to the first amended complaint up to and
5 including on January 8, 2025. (*Id.*). The parties represent that good cause exists for the
6 requested extension so the parties can informally evaluate the claims and discuss settlement, and
7 no prejudice will result from grant of the stipulation. (*Id.*).

8 **Conclusion and Order**

9 In light of the stipulation and good cause appearing, IT IS HEREBY ORDERED that
10 Defendant shall have up to and including **January 8, 2025**, to file an answer or other responsive
11 pleading to the first amended complaint. *See* E.D. Cal. L.R. 144(d).

12 IT IS SO ORDERED.

13 Dated: **December 27, 2024**

14 
UNITED STATES MAGISTRATE JUDGE